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ASCS  
Background  
Information

CONSERVATION/  
ENVIRONMENTAL  
PROTECTION  
PROGRAMS

BI No. 5

United States  
Department of  
Agriculture

Agricultural  
Stabilization and  
Conservation  
Service

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The Food, Agriculture, Conservation, and Trade Act of 1990, Title XIV--Conservation, extended several conservation programs previously legislated and amended the conservation compliance, sodbuster, and swampbuster provisions of the Food Security Act of 1985 (see page 6).

**NEW PROGRAMS  
AUTHORIZED**

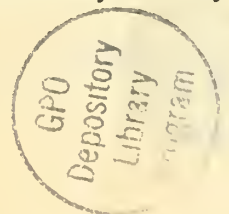
The 1990 Act establishes an Agricultural Resource Conservation Program (ARCP) which groups together some previous conservation programs with new ones. Under the ARCP are: the Environmental Conservation Acreage Reserve Program, composed of an extended/redirected Conservation Reserve Program, a new Wetlands Reserve Program, and the Agricultural Water Quality Incentives Program.

The 1990 Act extends conservation compliance provisions implemented under the 1985 Act to include highly erodible land that is set aside, diverted, or otherwise devoted to conserving use (see page 6). Producers who violate conservation compliance plans or plant without a plan on highly erodible land, including set asides, diverted, or land otherwise devoted to conserving use, will lose farm program benefits.

Also, additional government benefits are now specifically subject to denial for violations of conservation compliance or sodbuster provisions. These benefits include disaster assistance payments for weather-damaged trees, Agricultural Conservation Program payments, Emergency Conservation Program payments, Conservation Reserve Program payments, Agricultural Water Quality Incentives Program payments, and assistance under the small watersheds program.

**1990 SWAMP-  
BUSTER  
VIOLATIONS**

The 1990 Act establishes a new trigger mechanism for swampbuster violations (see page 7). In any crop year after the date of enactment, a producer will have violated the swampbuster provisions whenever a wetland is converted for the purpose of producing an agricultural commodity or to make possible the production of an agricultural commodity. As legislated by the 1985 Act, producers also violate swampbuster provisions when they actually plant an agricultural commodity on a converted wetland.



## **AGRICULTURAL RESOURCES CONSERVATION PROGRAM**

### **UMBRELLA PROGRAM**

The Agricultural Resources Conservation Program (ARCP) has two main parts: Environmental Conservation Acreage Reserve Program (ECARP) and the Agricultural Water Quality Incentives Program (AWQIP).

No more than 25 percent of the cropland in any county may be enrolled in the ECARP (this percentage does not include land in shelterbelt or windbreak easement). In addition, no more than 10 percent of such cropland may be subject to an easement acquired under these programs.

## **ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM**

### **PREVIOUS CRP**

The ECARP is composed of the previous Conservation Reserve Program (CRP) and the new Wetlands Reserve Program (WRP). The CRP permitted farmers to bid their highly erodible cropland into a 10-year rental program. Farmers planted a conserving cover of grass or trees on this land and received annual rental payments.

This new CRP will put greater emphasis on preserving and upgrading water quality, identifying environmentally sensitive areas for special conservation treatment, and planting trees. The goal is to enroll 39-49 million acres, of which 1 million acres is for WRP enrollment. All new enrollments are subject to appropriations.

In addition to annual lump sum payments, producers may receive payments or tax benefits from State and other entities for enrolling land in these programs.

## **CONSERVATION RESERVE PROGRAM**

### **LEGISLATIVE AUTHORITY**

The Conservation Reserve Program was authorized in the Food Security Act of 1985. It was extended under the 1990 Act as part of the ECARP.

### **PURPOSE**

The Conservation Reserve Program encourages farmers, through 10-15 year contracts with USDA, to stop growing crops on cropland subject to excessive erosion or that contributes to a significant water quality problem and plant it to a protective cover of grass or trees.

### **PROGRAM ADMINISTRATION**

CRP is administered by the Agricultural Stabilization and Conservation Service in cooperation with the Soil Conservation Service, Extension Service, State forestry agencies and local soil and water conservation districts. ASCS State and county offices serve as focal points for program administration.

### **RENTAL PAYMENTS ON BID BASIS**

Annual rental payments of up to \$50,000 per person per year will be made to farm owners or operators who enter into a contract to convert eligible land to permanent vegetative cover. Payment will be made in cash or in negotiable commodity certificates redeemable for cash or in commodities owned by the



Commodity Credit Corporation (CCC). Rental payments are not counted against the payment limitation applicable to commodity price support and production adjustment programs.

Applications for program participation are submitted to ASCS county offices. At the time of application, producers submit bids stating the annual rental payment per acre they would be willing to accept to convert their eligible cropland to permanent vegetative cover.

## **CONSERVATION PLAN**

A conservation plan describing the conservation measures and maintenance requirements to be carried out by the owner or operator during the term of the contract must be agreed to by the participant and the district conservationist.

Producers who elect to return the land to production before the end of the contract period must repay to CCC, with interest, all payments received for annual rental and for establishing cover plus liquidated damages.

## **PLANTING HISTORY PROTECTED**

Although participants need not be producers of program crops, any bases, quotas, and allotments on the farm may be reduced over the life of the contract by the ratio between the total cropland on the farm and acreage placed in the CRP. Producers reduce the base, allotment, or quota of their choice. Any reduction in base allotment or quota during the contract period is restored at contract expiration.

## **1991-95 CRP LANDS**

The 1990 Act permits the Secretary of Agriculture to include the following lands in the CRP for the 1991-95 calendar years:

Highly erodible cropland that could substantially reduce the production capability for future generations if not protected.

Highly erodible cropland that cannot be farmed in accordance with a conservation plan under the conservation compliance provision.

Cropland that is newly created permanent grass sod waterways or contour grass sod strips established and maintained as part of an approved conservation plan.

Cropland devoted to newly established living snow fences, permanent wildlife habitats, windbreaks, shelterbelts, or filter strips planted to trees or shrubs, where the farmer grants an easement for the useful life of the practice.

Cropland posing an offsite environmental threat or cropland threatened by productivity degradation due to soil salinity.

The provisions require that 1 million acres be reserved for enrollment of highly erodible land in each of calendar years 1994 and 1995. This acreage is intended to provide a buffer for highly erodible land enrollment that cannot be

treated with a conservation plan under the conservation compliance provision. To the extent practicable, at least an eighth of the land enrolled in the conservation reserve during the 1986-95 calendar years must be devoted to trees, shrubs, or other noncrop vegetation or water that may provide a permanent habitat for wildlife, including migratory waterfowl.

#### **CONTRACT TYPES AND PAYMENT DURATIONS**

Beginning with the tenth signup, bids for acceptance into the Conservation Reserve Program are evaluated for acceptability by the National ASCS Office. In addition to the "Standard" 10-year contract, ASCS accepts bids for "Easement" contracts that require 15- or 30-year useful life easements for special conservation cover applications. However, rental payments for either type of contract are limited to 10 years, unless hardwood trees, wildlife corridors, windbreaks, or shelterbelts are planted--for which contracts may provide for payments for up to 15 years.

#### **COST SHARES**

In addition to continuing to share 50 percent of the cost of establishing vegetative cover, the Secretary must share 50 percent of the cost to maintain hardwood trees, shelterbelts, windbreaks, or wildlife corridors for a 2- to 4-year period. In the case of acreage devoted to hardwood trees, the Secretary may consider bids for contracts on a continuous basis. The Secretary may share 50 percent of establishing water quality and conservation measures when cost sharing is appropriate. Total amount of cost sharing from Federal plus all other sources cannot exceed 100 percent of the establishment costs. If a producer contracts for at least 10 acres of hardwood trees, the Secretary may permit planting over a 3-year period if at least one-third of the land is planted in each of the first 2 years.

Farmers with CRP acreage enrolled in 1986-90 are allowed to convert areas of enrolled vegetative cover to hardwood trees, windbreaks, shelterbelts, or wildlife corridors, and to extend their contract terms up to 15 years. Except for hardwood trees, the landowner must grant a conservation easement to the Secretary for the useful life of the plantings. Under these revised contracts, producers must participate in the Forest Stewardship Program which outlines technical requirements for cover establishment and maintenance.

The Secretary may permit farmers to convert existing CRP acreage in vegetative cover to wetlands if the lands are prior-converted wetlands, there is a high probability that the area can be successfully restored to wetland status, and the farmer provides the Secretary with a long-term or permanent easement covering the area. When sharing cost for tree or wetland conversions, the Secretary may not incur any additional expense, including the expense involved in the original establishment of the vegetative cover, that would produce a total cost-share for the new practice that would exceed the cost if the new practice had been the original practice.

Finally, the Secretary must offer the opportunity to extend the protection of crop acreage base, quotas, and allotments on conservation reserve lands after the contract expires for as long as determined appropriate, if the owner or



operator agrees to keep the land in the appropriate conserving uses. In addition, haying and grazing may be permitted during specified periods. However, once the contract has expired, owners cannot receive additional cost-share assistance, rents, or bonus payments for the extensions.

## **WETLANDS RESERVE PROGRAM**

### **PURPOSE**

The 1990 Act authorized a new Wetlands Reserve Program (WRP) under the Environmental Conservation Acreage Reserve Program to restore and protect wetlands. Funding must be appropriated annually by Congress. To the extent practicable, the Secretary will enroll up to 1 million acres by 1995.

### **ELIGIBLE LANDS**

Farmed or converted wetlands (must have been converted prior to December 23, 1985), adjacent functionally related lands, and riparian areas that link wetlands are eligible for enrollment. In addition, farmed wetland and adjoining lands enrolled in the conservation reserve may be permitted to be enrolled if they have high wetland functions and values, were not planted to trees while under a CRP contract, and are likely to return to production after they leave the CRP.

### **LONG-TERM EASEMENTS**

Participants in the WRP must agree to long-term easements on the enrolled land. Perpetual easements will receive priority consideration in evaluating which bids to accept. Participants must implement a wetland restoration plan of operations providing for the restoration and protection of the functional values of the wetland. In addition, participants must agree to the permanent retirement of any existing crop acreage base and allotment history which is in excess of the remaining cropland.

### **COMPENSATION**

In return, participants will receive 10 equal annual payments or 1 lump sum payment when restoration is complete, cost-sharing up to 75 percent, and technical assistance. Total compensation may not exceed the fair market value of the land minus the fair market value of such land encumbered by the easement. Except for permanent easements, compensation in any year may not exceed \$50,000 per person.

## **AGRICULTURAL WATER QUALITY PROTECTION PROGRAM**

### **WATER QUALITY PROTECTION**

Under the 1990 Act, the Secretary must establish an Agricultural Water Quality Incentives Program (AWQIP) as a voluntary incentive program with the goal of enrolling 10 million acres during calendar years 1991-95. The AWQIP is part of the Agricultural Resources Conservation Program. USDA will enter into 3- to 5-year agreements with farm owners and operators to develop and implement plans to protect water quality. Unlike most CRP contracts and Wetlands Reserve Program easements, these agreements do not preclude crop production on the enrolled acreage.

### **ELIGIBLE LANDS**

Eligible lands include wellhead protection areas within 1,000 feet of public wells, areas of shallow Karst topography where sinkholes convey runoff water

directly into ground water, critical cropland areas having priority problems resulting from agricultural nonpoint sources of pollution, areas where agricultural nonpoint source pollution is adversely affecting threatened or endangered species habitats, and other environmentally sensitive areas identified by the USDA, the Environmental Protection Agency, the Department of the Interior, or State agencies.

## **INTEGRATED FARM MANAGEMENT PROGRAM OPTION**

### **PURPOSE**

The new voluntary Integrated Farm Management Program Option is designed to assist producers of agricultural commodities in adopting integrated, multiyear, site-specific farm resource management plans by reducing farm program barriers. The plans should benefit the overall productivity and profitability of the farm, soil longevity and fertility, and water quality, and assist producers in complying with Federal, State, and local environmental requirements. To the extent practicable, the Secretary will enroll 3-5 million acres during calendar years 1991-95.

### **CONTRACT PERIODS**

Contract periods are for 3-5 years and may be renewed by mutual agreement of the Secretary and the producer. Participants must apply an approved integrated farm management plan and devote at least an average of 20 percent of their enrolled crop acreage bases to a resource-conserving crop. Resource-conserving crops include legumes, legume-grass mixtures, legume-small grain mixture, legume-grass-small grain mixtures, and alternative crops.

## **CONSERVATION PROVISIONS OF THE 1985 FOOD SECURITY ACT**

### **CONSERVATION COMPLIANCE PROVISION**

The conservation compliance provision discourages the continued production of crops on highly erodible cropland where the land is not carefully protected from soil erosion. If crops are produced on such fields without a locally approved conservation plan, producers may lose eligibility for certain USDA program benefits. Conservation compliance applies to land where annually tilled crops were grown at least once during the period 1981-85, and apply to all highly erodible land in annual crop production by 1990.

Land is considered highly erodible if potential erosion is more than eight times the rate at which the soil can maintain continued productivity. One-third or more of a field must be considered highly erodible, or the highly erodible area must be at least 50 acres.

Producers had until January 1, 1990, to develop and begin actively applying a conservation plan on highly erodible cropland. The plan must be fully operational by January 1, 1995. All plans are approved by local conservation districts.



## **SODBUSTER PROVISION**

The sodbuster provision discourages the conversion of highly erodible land for agricultural production. If highly erodible grassland or woodland is used for cropland production, producers may lose eligibility for several USDA program benefits. Sodbuster applies to highly erodible land which was not planted to annually tilled crops from 1981-85.

Erodibility standards are the same as for the conservation compliance provision (an erodibility index of greater than eight). However, sodbuster was effective December 23, 1985, the date the Food Security Act was signed. To maintain eligibility for USDA program benefits, producers must have a conservation plan approved by their local conservation district for any highly erodible land broken out for crop production after that date.

## **SWAMPBUSTER PROVISION**

The swampbuster provision discourages the conversion of natural wetlands to cropland use. With some exceptions, if producers converted a wetland area to cropland after December 23, 1985, they lose eligibility for several USDA program benefits. Exceptions to the swampbuster provision include: conversions which began before December 23, 1985; conversions of wetlands that had been created artificially; crop production on wetlands that became dry through drought, and conversions which the Soil Conservation Service has determined have minimal effect on wetland values.

## **USDA PROGRAMS AFFECTED**

Producers who fail to comply with the conservation compliance, sodbuster and swampbuster provisions risk losing eligibility for: price and income supports, crop insurance, Farmers Home Administration loans, CCC storage payments, farm storage facility loans, and other programs under which USDA makes payments.

Loss of program benefits applies not just to the highly erodible or converted wetland acreage, but to all the land farmed. To regain eligibility for program benefits, producers must produce their next crop under an approved conservation system for highly erodible land, must not produce crops on converted wetland areas, and may have to restore converted wetland areas.

## **AGRICULTURAL CONSERVATION PROGRAM**

## **LEGISLATIVE AUTHORITY**

The Agricultural Conservation Program (ACP) was authorized in the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended. Funds for the program are provided annually through the regular appropriation process.

## **PURPOSE OF ACP**

ACP is a joint effort by agricultural producers, Federal and State agencies, and other groups to restore and protect the Nation's land and water resources and preserve the environment.

Cost-sharing is provided to farmers and ranchers to encourage them to carry out conservation and environmental protection practices on agricultural land that result in long-term public benefits.

ACP is designed to: help prevent soil erosion and water pollution; protect and improve productive farm and ranch land; conserve water used in agriculture; preserve and develop wildlife habitat; and encourage energy conservation measures.

Practices that are primarily production oriented (or that result in significant economic benefits) to the farmer and rancher are not eligible for ACP cost-sharing.

## **SCOPE OF PROGRAM**

The program is national in scope, and is available for participation by all farmers and ranchers who establish the need for cost-share assistance in solving resource conservation and agricultural pollution problems.

The practices approved for cost-sharing must result in long-term and community-wide benefits, and must be practices that the farmer or rancher would not, or could not, be expected to undertake without financial and technical assistance. Annual, short-term, and long-term contracting arrangements are available.

## **PROGRAM ADMINISTRATION**

ACP is administered by Agricultural Stabilization and Conservation (ASC) State and county committees, working under the general direction of the Agricultural Stabilization and Conservation Service. ASCS State and county offices serve as focal points for the administration of ACP. The Soil Conservation Service (SCS), the Cooperative Extension Service (ES), the Forest Service (FS), and State forestry agencies are responsible for providing technical program guidance to ASC committees as well as technical assistance to farmers in carrying out conservation practices. The county Cooperative Extension Service also provides educational support and planning assistance.

To assure that the program provides effective solutions to local conservation problems, county ASC committees periodically meet with county program development groups to identify the problems and develop conservation practices designed to solve them. These practices are included by ASC county committees in the county agricultural conservation programs.

County ASC committees work with farmers and ranchers to encourage their adoption of the most needed practices and assign priorities to designated practices. State ASC committees review and approve county programs.

ACP funds are authorized annually by Congress. The Secretary of Agriculture determines how much each State receives based on the State's soil and water conservation needs. The funds are distributed through State committees to county committees which approve payments for farmers and ranchers.

Cost-sharing is available under annual agreements or long-term agreements. Requests for long-term agreements can be accepted for complete farms for a



period of three to ten years, or for a portion of a farm for a period of three to five years. The maximum cost-share limitation for the annual program is \$3,500 per person. (A person is defined as an individual, corporation, or other legal entity owning or operating a farm or ranch.) However, lump sum payments in excess of \$3,500 may be authorized for a long-term agreement under certain conditions.

The Federal Government may share up to 75 percent of the cost to install practices under annual agreements (or at a higher rate if authorized by the Secretary of Agriculture). The Federal share of the cost depends on the public benefits resulting from the conservation or pollution abatement practice. Producers must agree to maintain practices for a specified number of years. Producers who fail to do so are required to refund all or part of the Federal funds provided for installation of the practice.

Farmers or ranchers may enter into pooling agreements to jointly solve mutual conservation problems.

## **PROGRAM PARTICIPATION**

To participate, a farmer files a request with the ASC county committee (at the ASCS county office) for ACP cost-sharing. An ACP practice must be approved before the practice is started.

The county committee notifies the applicant by letter that the request for cost-sharing has been approved subject to a determination by SCS, on certain practices, that the practice is feasible. For long-term agreements, a conservation plan must be developed by a representative of SCS and approved by the Soil and Water Conservation District before final approval by the county ASC committee can be obtained.

After the practice is completed, the farmer certifies to the county office that all installation specifications, technical standards, and any State or local regulations have been met. The farmer pays the total cost of establishing the approved practices and is then reimbursed for the government's share of the cost.

## **ELIGIBLE PRACTICES**

Among practices eligible for cost-sharing assistance under ACP are establishment or improvement of permanent vegetative cover, contour or strip-cropping systems, and terrace systems; development of springs, seeps and wells; installation of pipelines, storage facilities, and other measures intended to provide erosion control on range or pastureland; installation of water impoundment reservoirs for erosion control, conservation, and environmental and wildlife enhancement; planting trees and shrubs and improving timber stands for protection against wind and water erosion and to protect trees for timber production; and development of new or rehabilitation of existing shallow water areas to support food, habitat and cover for wildlife. For other practices that are or may be available for ACP cost-sharing assistance, agricultural landowners and operators should contact their local ASCS county office.



## **EMERGENCY CONSERVATION PROGRAM**

### **LEGISLATIVE AUTHORITY**

The Emergency Conservation Program (ECP) was established by the Agricultural Credit Act of 1978. Funding for the program is appropriated, on an annual basis, by Congress.

### **PURPOSE**

The Emergency Conservation Program (ECP) provides emergency funds for sharing with farmers and ranchers the cost of rehabilitating farmland damaged by wind erosion, floods, hurricanes, or other natural disasters, and for carrying out emergency water conservation measures during periods of severe drought.

The natural disaster must create new conservation problems, which, if not treated, would: (1) impair or endanger the land; (2) materially affect the productive capacity of the land; (3) represent unusual damage which, except for wind erosion, is not the type likely to recur frequently in the same area; and (4) be so costly to repair that Federal assistance is or will be required to return the land to productive agricultural use. Conservation problems existing prior to the disaster involved are not eligible for cost-sharing assistance. ECP is administered by ASC State and county committees.

### **PROGRAM ADMINIS- TRATION**

Subject to the availability of funds, ASC county committees, in consultation with ASC State committees, are authorized to implement ECP for eligible farmers for all disasters except drought. When severe drought conditions exist, the determination to implement drought practices will be made by the Deputy Administrator, State and County Operations (DASCO), ASCS, in Washington, D. C.

Cost-share levels up to 64 percent are set by county committees. Eligibility for ECP assistance is determined by county committees on an individual basis, taking into account the type and extent of damage. Individual or cumulative requests for cost-sharing of \$10,000 or less per person per disaster may be approved by county committees, and of \$20,000 or less by State committees after consulting with the ASCS Area Director. Cost-sharing over \$20,000 must be approved by DASCO. (A person is defined as an individual, corporation, or other legal entity owning or operating a farm or ranch.) Technical assistance is provided by the Soil Conservation Service.

### **EMERGENCY PRACTICES**

Emergency practices to rehabilitate farmland damaged by wind erosion and other disasters, including drought, may include debris removal, providing water for livestock, fence restoration, grading and shaping of farmland, restoring structures, and water conservation measures. Other emergency conservation measures may be authorized by county committees with approvals by State committees and DASCO. Farmers or ranchers may enter into pooling agreements to jointly solve mutual conservation problems.

## **FORESTRY INCENTIVES PROGRAM**

### **LEGISLATIVE AUTHORITY**

The Forestry Incentives Program (FIP) is authorized by the Cooperative Forestry Assistance Act of 1978. Funds for the program are authorized annually by Congress.

### **PROGRAM OBJECTIVES**

The Forestry Incentives Program aims to increase the Nation's supply of timber products from private non-industrial forest lands. The program encourages landowners to plant trees on suitable open lands or cutover areas, and to perform timber stand improvement work for production of timber and other related forest resources.

Private nonindustrial landowners control the majority of forest lands in the Nation, but these lands are not fully utilized. Many landowners do not have the funds to make long-term investments in developing and improving forest areas. FIP is designed to share this expense with private, eligible landowners.

### **SCOPE OF PROGRAM**

To meet program objectives and utilize funds cost-effectively, FIP is offered only in designated counties where a suitable number of ownerships capable of producing at least 50 cubic feet of timber per year are available. FIP agreements are limited to eligible ownerships of 10 to 1,000 acres. Landowners owning more than 1,000 but less than 5,000 acres may obtain an exception to this acreage limitation if it is in the public interest.

### **PROGRAM ADMINIS- TRATION**

FIP is reviewed annually at the national, State, and county levels by the Agricultural Stabilization and Conservation Service in consultation with the Forest Service (FS) and a committee of at least five State foresters or equivalent State officials. The program is jointly administered by ASCS and FS in cooperation with State forestry agencies. Cost-share requests and payments are administered by ASCS county committees with technical assistance provided by State forestry agencies.

Funds for cost-share use are allocated in each program year to ASC State committees on the basis of a survey of total eligible private timber acreage and acreage potentially suitable for production of timber products.

The ASC State committee, in consultation with the State forester, develops a FIP program that reflects the State's forestry needs, including a list of designated counties, eligible forestry practices, applicable cost-share rates, and the requirements, conditions, and specifications for the practices.

The State program is submitted to the national level for review and approval. Once the program is approved, the State ASC committee allots the funds to the ASC county committees who use them to help landowners apply forestry practices on their land.

### **LANDOWNER AGREEMENTS**

Cost-share agreements between the landowner and the Secretary of Agriculture are based on forest management plans developed by the landowner



in cooperation with and approved by the State forestry agency. Consideration is given to enhancing other related forest resources as well as cost-effective timber production.

Landowners apply for participation in the program at the county ASCS office which asks the State forestry agency to examine the property, help develop the Forest Management Plan, and certify the need for the proposed practice. The State forestry agency provides technical advice and will help locate approved vendors for getting the work accomplished. The State forestry agency must certify that the project has been completed satisfactorily in accordance with the approved plan before payment is made. The county ASCS office handles all payments earned under the program.

Cost-sharing assistance cannot exceed 65 percent of the actual, average, or estimated cost of performing the practice, as determined jointly by the State Forester and the State and county ASC committees. In some States, assistance is available under long-term agreements of 3 to 10 years. The maximum cost-share that a person can earn annually for forestry practices under FIP is \$10,000.

## **WATER BANK PROGRAM**

### **LEGISLATIVE AUTHORITY**

The Water Bank Program (WBP) is authorized by the Water Bank Act which was passed by Congress December 19, 1970, and amended January 2, 1980.

### **PURPOSE**

The Water Bank Program is designed to preserve and improve major wetlands as habitat for migratory waterfowl and other wildlife; conserve surface waters; reduce runoff, soil, and wind erosion; contribute to flood control; improve water quality; improve subsurface moisture; and enhance the natural beauty of the landscape.

### **ADMINISTRATION**

ASC county committees administer the program with planning and technical services provided by the Soil Conservation Service.

### **SCOPE OF PROGRAM**

The WBP operates primarily in the northern part of the Central flyway and the northern and southern part of the Mississippi River flyway, which are the major migratory water routes used by waterfowl. The program also operates along other flyways in States where the program is authorized.

### **PROGRAM PROVISIONS**

The WBP applies to wetlands identified in a conservation plan developed in cooperation with the Soil and Water Conservation District in which the lands are located and under terms and conditions set forth by the Secretary of Agriculture.

The term "wetlands" is defined as inland fresh areas (types one through seven) described in Circular 39, Wetlands of the United States, published by the U.S. Department of the Interior. This definition includes artificially



developed inland fresh areas which meet this description. The seven types are: seasonally flooded basins or flats, fresh meadows, shallow fresh marshes, deep fresh marshes, open fresh water, shrub swamps, and wooded swamps.

Other adjacent privately-owned land may be designated upon determination by county committees that this land is needed to protect the wetland or is essential for the nesting, breeding, or feeding of migratory waterfowl. The adjacent land must adjoin the wetland or be within one-quarter mile of the wetland. Eligible persons having eligible wetlands in important migratory waterfowl nesting, breeding, or feeding areas enter into 10-year agreements, with provisions for renewal, and receive annual payments for the conservation of water and to meet other purposes of the Act.

All agreements are reviewed at the beginning of the fifth year of the contract, and payment rates may be adjusted to reflect current land and crop values.

### **COLORADO RIVER SALINITY CONTROL PROGRAM**

#### **LEGISLATIVE AUTHORITY**

The Colorado River Salinity Control (CRSC) program is authorized by the Colorado River Basin Salinity Control Act of 1987, as amended.

#### **PURPOSE**

The Colorado River carries approximately 9 million tons of salt annually past Hoover Dam. About half of the present salinity concentration in the river is attributed to natural sources. The remaining half results from human activity. The CRSC Program provides financial and technical assistance to identify salt source areas in the Colorado River Basin; to install conservation practices and irrigation improvements to reduce salinity levels in the river; to carry out research, education, and demonstration projects, and monitoring and evaluation activities.

#### **PROGRAM ADMINISTRATION**

The program is administered by the ASCS in cooperation with the Soil Conservation Service, Extension Service, Agricultural Research Service, Farmers Home Administration, Bureau of Reclamation, and Fish and Wildlife agencies.

#### **SCOPE OF PROGRAM**

The CRSC program is available in the States of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. It applies to lands that are in an identified salt source area, privately-owned or controlled land, Indian tribal land, irrigation district or company land, and State and local government land.

#### **PROJECT AREAS**

The program operates in approved project areas. An eligible project area must be identified in a published USDA Salinity Control report and is considered approved for the program when a Project Implementation Plan has been funded based on the USDA Salinity Control Coordinating Committee's recommendation.

**PROGRAM  
PARTICI-  
PATION**

Landowners or operators are eligible to participate in the CRSC program if all of the following apply:

1. Their lands or activities contribute to the project area's salt loading of the Colorado River.
2. Their lands or activities in a project area are designated as critical areas or salt sources.
3. The Conservation District approves the salinity control plan covering the critical areas and salt sources, and
4. The participant meets any minimum acreage eligibility requirements that county ASC committees may establish.

**COST-SHARE  
ASSISTANCE**

Cost-share levels up to 70 percent of the total cost are authorized for CRSC projects. Levels exceeding the projected on-farm and offsite benefits must be approved by the ASCS Deputy Administrator for State and County Operations with concurrence from the USDA Salinity Control Coordinating Committee.

Eligible landowners and operators in approved project areas should apply for assistance at their local ASCS office. CRSC contracts run from 3 to 10 years.

**RURAL CLEAN WATER PROGRAM**

**LEGISLATIVE  
AUTHORITY**

The Rural Clean Water Program (RCWP) is authorized by the Agriculture, Rural Development and Related Agencies Appropriation Acts of 1980 and 1981.

**PURPOSE**

The RCWP provides financial and technical assistance to agricultural landowners and operators in 21 selected areas throughout the United States where practices specifically targeted to significant agriculture-related water pollution and water quality problems are needed.

**PROGRAM  
ADMINIS-  
TRATION**

The program is administered by the ASCS in cooperation with soil conservation districts, State soil and water conservation or water quality agencies, Forest Service, Extension Service, and the Environmental Protection Agency. The Soil Conservation Service is responsible for coordinating technical assistance. National, State and local Rural Clean Water Coordinating Committees, representing agencies concerned with water quality, are responsible for assuring effective program coordination.

**WATER  
QUALITY  
PLANS**

To be eligible to participate, applicants must demonstrate a critical water quality problem and must have an approved water quality plan designed to treat the problem. The priority for developing water quality plans among applicants is determined by county ASC committees and Soil Conservation Districts based on criteria developed by local RCWP coordinating committees in consultation with State coordinating committees.

The water quality plan, developed with technical assistance and certification by SCS is approved by the Soil Conservation District. The plan must include



appropriate Best Management Practices (BMPs) for the treatment of all critical areas or sources of pollution within the project area, whether or not the practice is cost-shared or receives technical assistance.

BMPs are those practices which reduce pollutants entering a stream or lake or underground water or prevent pollutants from leaving their source. Practices must provide long-term community-wide benefits to be approved for assistance.

## **ELIGIBILITY**

To participate in RCWP, a landowner or operator in the selected project areas enters into a contract to carry out the water quality plan. Eligibility is limited to privately-held agricultural lands, Indian tribal lands and land owned by irrigation districts.

All requests for RCWP contracts must be submitted to and approved by county ASC committees in the selected areas before cost-sharing payments will be provided for any practice. RCWP contracts run from 3 to 10 years, depending on the applicant's water quality plan. Contracts may be modified where there is a change in the status of the participant, the land under agreement, or farming operations. All cost-shared practices must be maintained for a minimum of five years after installation, or for the established life span of the contract if over five years, unless otherwise approved.

No new contracts are being accepted under the Rural Clean Water Program, but Best Management Practices are still being applied under previously approved contracts.

## **COST-SHARE ASSISTANCE**

The maximum federal cost-share level is 75 percent. There is no annual limitation, but total RCWP payments to a participant are limited to \$50,000.

For additional information on ASCS conservation/environmental protection programs, contact your local ASCS office.



